



Order Filed on March 20, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**  
Caption in compliance with D.N.J. LBR 9004-1(b)

**HILL WALLACK LLP**

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*Attorneys for NewRez LLC d/b/a Shellpoint*

*Mortgage Servicing as servicer for Mill City Mortgage*

*Loan Trust 2018-4*

In Re:

Ralph A. Cruz, Jr. *aka* Rafael Cruz *aka* Ralph  
Cruz, Jr. *aka* Ralph Cruz *aka* Rafael A. Cruz  
*aka* Ralph Cruz, Jr. *aka* Rafael A. Cruz, Jr.  
*aka* Ralph A. Cruz, Jr.,

Debtor.

Case No. 17-11282 (JNP)

Chapter 13

**ORDER RESOLVING MOTION TO VACATE STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby  
**ORDERED.**

**DATED: March 20, 2020**

A handwritten signature in black ink, appearing to read "J. Poslusny", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.  
United States Bankruptcy Court

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Debtor: Ralph A. Cruz, Jr. aka Rafael Cruz aka Ralph Cruz, Jr. aka Ralph Cruz aka Rafael A. Cruz aka Ralph Cruz, Jr aka Rafael A Cruz, Jr., aka Ralph A. Cruz, Jr.

Case No: 17-11282 (JNP)

Caption: Order Resolving Motion to Vacate Stay

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Applicant:	<u>NewRez LLC d/b/a Shellpoint Mortgage Servicing</u>
Applicant's Counsel:	<u>Hill Wallack LLP</u>
Debtor's Counsel:	<u>S. Daniel Hutchison, Esq.</u>
Property Involved ("Collateral"):	<u>103 Salina Road, Sewell, NJ 08080</u>

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Relief sought:

- ✓ Motion for relief from the automatic stay
- Motion to dismiss
- Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtors are overdue for 6 months, from 10/01/2019 to 03/01/2020 in the amount of \$2,099.71 per month less suspense of (\$1,221.08) for a total due of \$11,377.18.

Total Arrearages Due \$11,377.18

2. Debtor must cure all post-petition arrearages, as follows:

- Debtor's Attorney shall tender the amount on hand of \$4,200.00 to Secured Creditor no later than March 31, 2020.
- Immediate payment shall be made in the amount of \$2,100.00. Payment shall be made no later than March 31, 2020.
- Additionally the remaining arrears of \$5,077.18 shall be added to the debtor's Chapter 13 Plan and be paid out through the Trustee's office.
- Beginning on April 1, 2020, regular monthly mortgage payments shall continue to be made, currently in the amount of \$2,099.71.

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Debtor: Ralph A. Cruz, Jr. aka Rafael Cruz aka Ralph Cruz, Jr. aka Ralph Cruz aka Rafael A. Cruz aka Ralph Cruz, Jr aka Rafael A Cruz, Jr., aka Ralph A. Cruz, Jr.

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3. Payments to the Secured Creditor shall be made to the following address(es):

✓ Regular monthly payment: NewRez LLC d/b/a Shellpoint Mortgage Servicing  
P.O. Box 10826  
Greenville, SC 29603-0826

✓ Monthly cure payment: NewRez LLC d/b/a Shellpoint Mortgage Servicing  
P.O. Box 10826  
Greenville, SC 29603-0826

4. In the event of Default:

If the Debtor fail to make the immediate payment specified above timely (with no grace period) or fails to make any regular monthly payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

5. Award of Attorneys' Fees:

✓ The Applicant is awarded attorney's fees of \$500.00, and costs of \$181.00. The fees and costs are payable through the Chapter 13 plan.